

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION - DETROIT

In re: Frederick Napoleon Warren, Jr., Debtor.	Bankruptcy Case No. 19-57325 Judge Phillip J. Shefferly Chapter 11
Fred Dery, Chapter 7 Trustee, Plaintiff, v. Credit Acceptance Corp, Defendant.	Adversary Proceeding No.

COMPLAINT

NOW COMES Plaintiff Fred Dery, Chapter 7 Trustee (the “Debtor” or “Plaintiff”), by and through counsel, Stevenson & Bullock, P.L.C., and for his Complaint against Credit Acceptance Corp (the “Defendant”) states:

JURISDICTION

1. The court has jurisdiction pursuant to 28 U.S.C. §§ 157 and 1334.
2. This proceeding is a core proceeding within the meaning of 28 U.S.C. 157(b)(2).
3. This is an adversary proceeding under Rule 7001 of the Federal Rules of Bankruptcy Procedure.
4. Venue of this proceeding in this District is proper under 28 U.S.C. §§ 1408 and 1409(a).

5. Defendant provides credit services and conducts business in the Eastern District of Michigan.

GENERAL ALLEGATIONS

6. Frederick Warren, Jr. ("Debtor") commenced the underlying bankruptcy case on December 10, 2019 by filing a voluntary petition for relief under Chapter 7 of Title 11 of the United States Bankruptcy Code.

7. Fred Dery was appointed as the Chapter 7 Trustee.

8. From 9/10/2019 to 12/10/2019, within 90 days prior to the commencement of this case, Defendant garnished the Debtor's Pay Advices in the amount of \$3,267.47. Pay stubs evidencing the garnishment are attached as Exhibit 1.

9. The Debtor disclosed but did not exempt the \$3,267.47 in garnished funds on his petition. (Amended B & C are attached as Exhibit 2.)

**COUNT I
AVOIDANCE OF PREFERENTIAL TRANSFER
PURSUANT TO 11 U.S.C. § 547**

10. Plaintiff hereby incorporates by reference all of the preceding paragraphs of this Complaint as if fully restated herein.

11. 11 U.S.C. § 547 of the Bankruptcy Code provides:

(b) Except as provided in subsections (c) and (i) of this section, the trustee may avoid any transfer of an interest of the debtor in property—
 (1) to or for the benefit of a creditor;

- (2) for or on account of an antecedent debt owed by the debtor before such transfer was made;
- (3) made while the debtor was insolvent;
- (4) made—
 - (A) on or within 90 days before the date of the filing of the petition; or
 - (B) between ninety days and one year before the date of the filing of the petition, if such creditor at the time of such transfer was an insider; and
- (5) that enables such creditor to receive more than such creditor would receive if—
 - (A) the case were a case under chapter 7 of this title;
 - (B) the transfer had not been made; and
 - (C) such creditor received payment of such debt to the extent provided by the provisions of this title

12. From 9/10/2019 to 12/10/2019, within 90 days prior to the commencement of this case, Defendant garnished the Debtor's Pay Advices in the amount of \$3,267.47. (collectively, the "Transfers").

13. The Transfers were transfers of an interest in the Debtor's property.

14. The Transfers were to or for the benefit of the Defendant.

15. Defendant was a creditor of the Debtor on the date that the Transfers were made.

16. The Transfers were made for or on account of antecedent debt owed by the Debtor before the Transfers were made.

17. Pursuant to 11 U.S.C. § 547(f), the Debtor is presumed to have been, and was in fact, insolvent at the time the Transfers were made.

18. The Transfers enabled the Defendant to receive more than it would receive if (i) this case was a case under chapter 7 of the Bankruptcy Code, (ii) the Transfers had not been made, and (iii) the Defendant received payment of such debt to the extent provided by the provisions of the Bankruptcy Code.

19. The Defendant was the initial transferee of the Transfers and was the entity/person for whose benefit the Transfers was made.

20. The Transfer is avoidable by the Trustee under 11 U.S.C. § 547(b) and recoverable from the Defendant under 11 U.S.C. § 550(a).

21. The Plaintiff is entitled to a judgment under 11 U.S.C. §§ 547(b), 550, and 551 avoiding and recovering the Transfer, or the value thereof, for the benefit of the bankruptcy estate.

WHEREFORE, the Plaintiff respectfully requests the entry of a judgment against the Defendant under 11 U.S.C. § 544 and 547 for the avoidance of the Transfers or a money judgment that is not less than the value of the Transfers, plus costs and interest from the date of this Complaint, and granting the Plaintiff such other and further relief, at law or in equity, as the Court may deem just and proper.

**COUNT II – RECOVERY OF AVOIDABLE TRANSFER
PURSUANT TO 11 U.S.C. § 550(a)**

22. Plaintiff hereby incorporates by reference all of the preceding paragraphs of this Complaint as if fully restated herein.

23. Pursuant to Section 550(a) of the Bankruptcy Code, to the extent that a transfer is avoided under, *inter alia*, Sections 544, 547, or 548 of the Bankruptcy Code, the Plaintiff may seek to recover, for the benefit of the estate, the property transferred or the value of the property from the initial transferee of the transfer or the entity for whose benefit the transfer was made, or any immediate or mediate transferee of such initial transferee.

24. The Defendant is the initial transferee of the avoidable Transfers or the immediate or mediate transferee of such initial transferees or the persons for whose benefit the avoidable Transfers were made.

WHEREFORE, the Plaintiff respectfully requests the entry of a judgment against the Defendant under 11 U.S.C. § 550(a) for the avoidance of the Transfers or a money judgment that is not less than the value of the Transfers, plus costs and interest from the date of this Complaint, and granting the Plaintiff such other and further relief, at law or in equity, as the Court may deem just and proper.

**COUNT III – PRESERVATION OF AVOIDED TRANSFER
PURSUANT TO 11 U.S.C. § 551**

25. Plaintiff hereby incorporates by reference all of the preceding paragraphs of this Complaint as if fully restated herein.

26. Pursuant to Section 551 of the Bankruptcy Code, any transfer avoided under, *inter alia*, Sections 544, 547, or 548 is automatically preserved for the benefit of the estate.

WHEREFORE, the Plaintiff respectfully requests the entry of a judgment against the Defendant under 11 U.S.C. § 551 for the avoidance of the Transfers or a money judgment that is not less than the value of the Transfers, plus costs and interest from the date of this Complaint, and granting the Plaintiff such other and further relief, at law or in equity, as the Court may deem just and proper.

COUNT IV – CLAIM DISALLOWANCE
PURSUANT TO 11 U.S.C. § 502

27. Plaintiff hereby incorporates by reference all of the preceding paragraphs of this Complaint as if fully restated herein.

28. The Transfers set forth above are avoidable under, inter alia, 11 U.S.C. § 547.

29. The Defendant is the Transferee of the Transfers.

30. The Transfers are recoverable under 11 U.S.C. § 550.

31. The Defendant has not paid or surrendered the transfers.

32. Any present or future claims of the Defendant against the Debtor or the bankruptcy estate should be disallowed under 11 U.S.C. § 502(d).

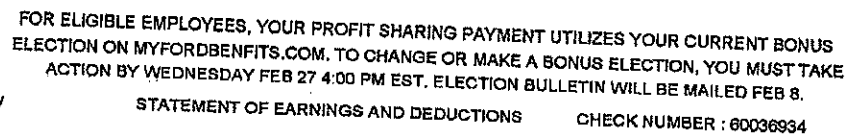
WHEREFORE, the Plaintiff respectfully requests that the Court enter a judgment in favor of the Plaintiff under 11 U.S.C. § 502(d) disallowing any present or future claims Defendant may have against the Plaintiff or the bankruptcy estate and grant the Plaintiff such other and further relief, at law or in equity, as the Court may deem just and proper.

Respectfully submitted,
STEVENSON & BULLOCK, P.L.C.

By: /s/ Ernest M. Hassan, III
Charles D. Bullock (P55550)
Elliot G. Crowder (P76137)
Ernest M. Hassan, III (P67815)
Counsel for Plaintiff
26100 American Drive, Suite 500
Southfield, MI 48034
Phone: (248) 354-7906
Facsimile: (248) 354-7907
Email: cbullock@sbplclaw.com
Email: ecrowder@sbplclaw.com
Email: ehassan@sbplclaw.com

Dated: 10/8/2020

EXHIBIT 1

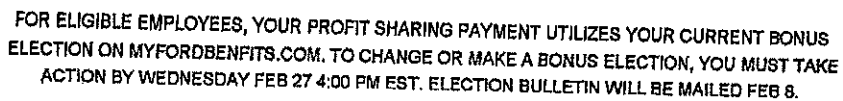


STATEMENT OF EARNINGS AND DEDUCTIONS

CHECK NUMBER : 60036934

YOUR WAGES ARE SUBJECT TO A GARNISHMENT
ISSUED BY THE 24TH JUDICIAL DISTRICT COURT
CASE # 1802060MH
PLAINTIFF CREDIT ACCEPTANCE CORP
FOR DEPOSIT ON 09-13-2019

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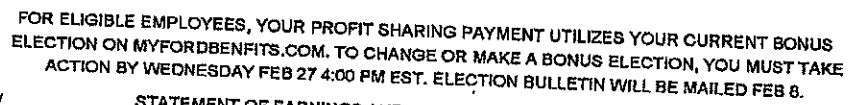


STATEMENT OF EARNINGS AND DEDUCTIONS

CHECK NUMBER : 60093193

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ISSUED BY THE 24TH JUDICIAL DISTRICT COURT
CASE # 1802060MH
PLAINTIFF CREDIT ACCEPTANCE CORP
FOR DEPOSIT ON 08-20-2019

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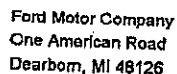


STATEMENT OF EARNINGS AND DEDUCTIONS

CHECK NUMBER : 60234801

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CASE # 1802060MH
PLAINTIFF CREDIT ACCEPTANCE CORP
FOR DEPOSIT ON 10-04-2019

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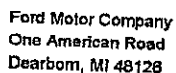
CONTACT LABOR RELATIONS TODAY TO SIGN UP FOR DIRECT DEPOSIT. IT IS SIMPLE, SECURE, SMART AND HAS BEEN AT FORD FOR OVER 25 YEARS. IT WILL SAVE TIME AND GAS. IT WILL REDUCE COSTS TO THE COMPANY. IF YOU ARE ALREADY SIGNED UP - THANK YOU!

STATEMENT OF EARNINGS AND DEDUCTIONS

CHECK NUMBER : 60290434

YOUR WAGES ARE SUBJECT TO A GARNISHMENT
ISSUED BY THE 24TH JUDICIAL DISTRICT COURT
CASE # 1802060MH
PLAINTIFF CREDIT ACCEPTANCE CORP
FOR DEPOSIT ON 10-11-2019

VACATION BALANCES		HOURLY RATES	
DESCRIPTION	HOURS	DESCRIPTION	AMOUNT
REGULAR PAID	0	BASE	18.410
EXC ABS PAID	0	WAGE PRG CTR	183.000
PRORATA PAID	0		
REGULAR DUE	0		
EXC ABS DUE	0		



CONTACT LABOR RELATIONS TODAY TO SIGN UP FOR DIRECT DEPOSIT. IT IS SIMPLE,
SECURE, SMART AND HAS BEEN AT FORD FOR OVER 25 YEARS. IT WILL SAVE TIME AND GAS.
IT WILL REDUCE COSTS TO THE COMPANY. IF YOU ARE ALREADY SIGNED UP - THANK YOU!

STATEMENT OF EARNINGS AND DEDUCTIONS

CHECK NUMBER : 60367694

YOUR WAGES ARE SUBJECT TO A GARNISHMENT
ISSUED BY THE 24TH JUDICIAL DISTRICT COURT
CASE # 1802080MH
PLAINTIFF CREDIT ACCEPTANCE CORP
FOR DEPOSIT ON 10-16-2019

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CONTACT LABOR RELATIONS TODAY TO SIGN UP FOR DIRECT DEPOSIT. IT IS SIMPLE,
SECURE, SMART AND HAS BEEN AT FORD FOR OVER 25 YEARS. IT WILL SAVE TIME AND GAS.
IT WILL REDUCE COSTS TO THE COMPANY. IF YOU ARE ALREADY SIGNED UP - THANK YOU!

Ford Motor Company
One American Road
Dearborn, MI 48126

STATEMENT OF EARNINGS AND DEDUCTIONS

CHECK NUMBER : 60424164

[illegible]

YOUR WAGES ARE SUBJECT TO A GARNISHMENT
ISSUED BY THE 24TH JUDICIAL DISTRICT COURT
CASE # 1802060MH
PLAINTIFF CREDIT ACCEPTANCE CORP
FOR DEPOSIT ON 10-25-2019

VACATION BALANCES		HOURLY RATES	
DESCRIPTION	HOURS	DESCRIPTION	AMOUNT
REGULAR PAID	0	BASE	18.410
EXC ABS PAID	0	WAGE PRG CTR	185.000
PRORATA PAID	0		
REGULAR DUE	0		
EXC ABS DUE	0		

CONTACT LABOR RELATIONS TODAY TO SIGN UP FOR DIRECT DEPOSIT. IT IS SIMPLE,
SECURE, SMART AND HAS BEEN AT FORD FOR OVER 25 YEARS. IT WILL SAVE TIME AND GAS.
IT WILL REDUCE COSTS TO THE COMPANY. IF YOU ARE ALREADY SIGNED UP - THANK YOU!

Ford Motor Company
One American Road
Dearborn, MI 48126

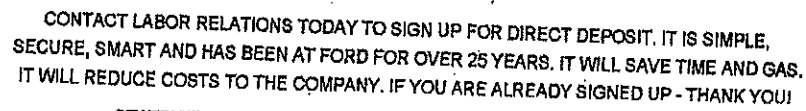
STATEMENT OF EARNINGS AND DEDUCTIONS

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ISSUED BY THE 24TH JUDICIAL DISTRICT COURT
CASE # 1802060MH
PLAINTIFF CREDIT ACCEPTANCE CORP
FOR DEPOSIT ON 11-01-2019

VACATION BALANCES		HOURLY RATES	
DESCRIPTION	HOURS	DESCRIPTION	AMOUNT
REGULAR PAID	0	BASE	18.410
EXC ABS PAID	0	WAGE PRG CTR	186.000
PRORATA PAID	0		
REGULAR DUE J	0		
EXC ABS DUE	0		



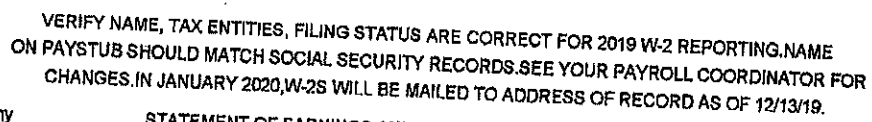
STATEMENT OF EARNINGS AND DEDUCTIONS

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CASE # 1802060MH
PLAINTIFF CREDIT ACCEPTANCE CORP
FOR DEPOSIT ON 11-08-2019

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DESCRIPTION	HOURS	DESCRIPTION	AMOUNT
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PRORATA PAID	0		
REGULAR DUE	0		
EXC ABS DUE	0		

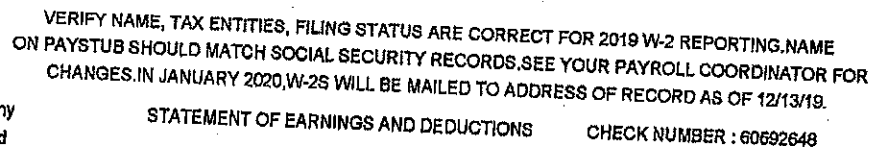


STATEMENT OF EARNINGS AND DEDUCTIONS

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CASE # 1802060MH
PLAINTIFF CREDIT ACCEPTANCE CORP
FOR DEPOSIT ON 11-15-2019

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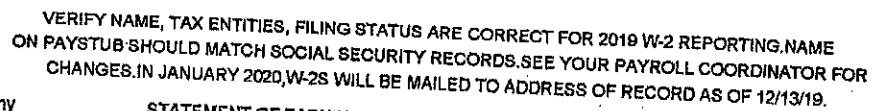


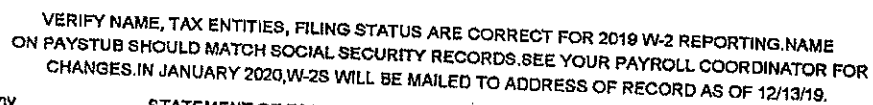
STATEMENT OF EARNINGS AND DEDUCTIONS

CHECK NUMBER : 60692648

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ISSUED BY THE 24TH JUDICIAL DISTRICT COURT
CASE # 1802060MH
PLAINTIFF CREDIT ACCEPTANCE CORP
FOR DEPOSIT ON 11-22-2019

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STATEMENT OF EARNINGS AND DEDUCTIONS

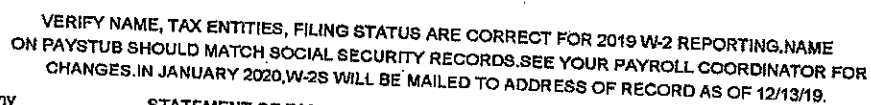
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FOR DEPOSIT ON 11-29-2019

INSURANCE CODE - C

ADJ#1 GRIEVANCE PAY

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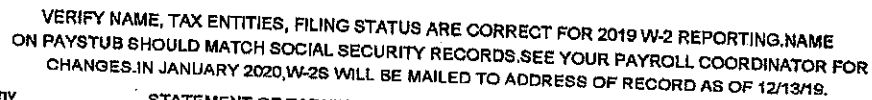


STATEMENT OF EARNINGS AND DEDUCTIONS

CHECK NUMBER : 60835097

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CASE # 1802060MH
PLAINTIFF CREDIT ACCEPTANCE CORP
FOR DEPOSIT ON 11-29-2019

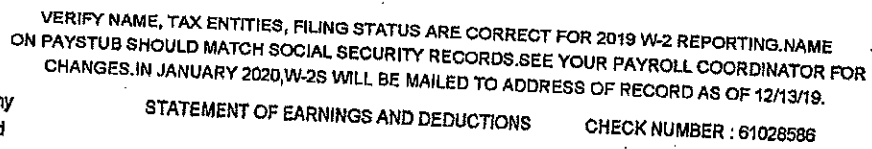
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STATEMENT OF EARNINGS AND DEDUCTIONS

[illegible]

VACATION BALANCES		HOURLY RATES	
DESCRIPTION	HOURS	DESCRIPTION	AMOUNT
REGULAR PAID	0	BASE	18.410
EXC ABS PAID	0	WEEKS WORKED	7.000
PRORATA PAID	0		
REGULAR DUE J	0		
EXC ABS DUE	0		

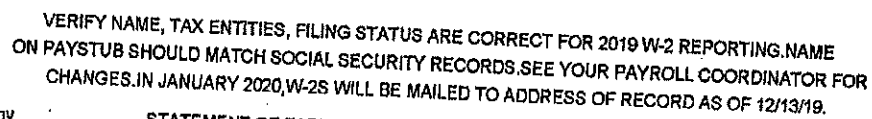


STATEMENT OF EARNINGS AND DEDUCTIONS

CHECK NUMBER : 61028586

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ISSUED BY THE 24TH JUDICIAL DISTRICT COURT
CASE # 1802060MH
PLAINTIFF CREDIT ACCEPTANCE CORP
FOR DEPOSIT ON 12-13-2019

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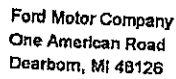


STATEMENT OF EARNINGS AND DEDUCTIONS

CHECK NUMBER : 61088234

YOUR WAGES ARE SUBJECT TO A GARNISHMENT
ISSUED BY THE 24TH JUDICIAL DISTRICT COURT
CASE # 1802060MH
PLAINTIFF CREDIT ACCEPTANCE CORP
FOR DEPOSIT ON 12-20-2019

VACATION BALANCES		HOURLY RATES	
DESCRIPTION	HOURS	DESCRIPTION	AMOUNT
REGULAR PAID	0	BASE	18.410
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PRORATA PAID	0		
REGULAR DUE J	0		
EXC ABS DUE	0		



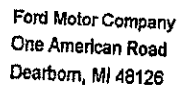
SIGN UP FOR DIRECT DEPOSIT TODAY! GET YOUR MONEY ON TIME EVERY PAYDAY. DON'T WORRY ABOUT A CHECK BEING LOST, STOLEN, OR DELAYED BY WEATHER. NEVER PAY \$25 FOR A REPLACEMENT CHECK. GO TO LIFE@FORD-MYCOMPENSATION-DIRECTDEPOSIT.INFO.

STATEMENT OF EARNINGS AND DEDUCTIONS

CHECK NUMBER : 61175148

FOR DEPOSIT ON 12-27-2019
INSURANCE CODE - C

VACATION BALANCES		HOURLY RATES	
DESCRIPTION	HOURS	DESCRIPTION	AMOUNT
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EXC ABS PAID	0	WEEKS WORKED	10.000
PRORATA PAID	0		
REGULAR DUE D	0		
EXC ABS DUE	0		



SIGN UP FOR DIRECT DEPOSIT TODAY! GET YOUR MONEY ON TIME EVERY PAYDAY. DON'T WORRY ABOUT A CHECK BEING LOST, STOLEN, OR DELAYED BY WEATHER. NEVER PAY \$25 FOR A REPLACEMENT CHECK. GO TO LIFE@FORD-MY-COMPENSATION-DIRECT-DEPOSIT-INFO.

STATEMENT OF EARNINGS AND DEDUCTIONS

CHECK NUMBER : 61229325

FOR DEPOSIT ON 01-03-2020
INSURANCE CODE - C
ADJUSTMENT REASON CODES INCLUDE THE
FOLLOWING:
ADJ#1 HOLIDAY HOURS SHORTAGE

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EXHIBIT 3

EXHIBIT 2

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN

COVER SHEET FOR AMENDMENTS

Case Name: Frederick Napoleon Warren, Jr.

Case No.: 19-57325

DESCRIBE INFORMATION BEING AMENDED BY CHECKING APPLICABLE BOX(ES) BELOW:

☐ **Amendment to Petition:**

☐ Name ☐ Debtor(s) Mailing Address ☐ Alias

☐ Signature ☐ Complying with Order Directing the Filing of Official Form(s)

☐ **Summary of Your Assets and Liabilities and Certain Statistical Information**

☐ **Statement of Financial Affairs**

☒ **Schedules and List of Creditors:**

☒ Schedule A/B

☒ Schedule C ☐ Debtor 2 Schedule C

☐ List of Creditors ☐ Schedule D ☐ Schedule E/F and

☐ Add creditor(s), provide address of creditor already on the List of Creditors, change amount or classification of debt - **\$31 Fee Required**, or

☐ Change address of a creditor already on the List of Creditors - **No Fee Required**

☐ Schedule G

☐ Schedule H

☐ Schedule I

☐ Schedule J

☐ Schedule J-2

NOTE: Use Page 2 for any corrections or additions to the List of Creditors.

Additional Details of Amendment(s): _____

➔ **DECLARATION OF ATTORNEY:** I declare that the above information contained on this cover sheet may be relied upon by the Clerk of the Court as a complete and accurate summary of the information contained in the documents attached.

Date
9/22/2020

Signature
/s/ Michael G. Ardelean

➔ **AFFIRMATION OF DEBTOR(S):** I declare under penalty of perjury that I have read this cover sheet and the attached schedules, lists, statements, etc., and that they are true and correct to the best of my knowledge, information and belief.

Date
9/22/2020

Signature
/s/ Frederick Napoleon Warren, Jr.

CORRECTIONS TO THE LIST OF CREDITORS

Use this section to make corrections to the name(s) and address(es) of any creditor(s) listed on the current schedules and List of Creditors.

PREVIOUS NAME/ADDRESS OF CREDITOR:

PLEASE CHANGE TO:

-NONE-

ADDITIONS TO THE LIST OF CREDITORS

Use this section to identify creditors added to the schedules and List of Creditors.

NAME OF CREDITOR: -NONE-

ADDRESS:

FOR ADDITIONAL CORRECTIONS/ADDITIONS, COPY THIS SHEET AND CONTINUE.

Fill in this information to identify your case and this filing:

Debtor 1	Frederick Napoleon Warren, Jr.		
	First Name	Middle Name	Last Name
Debtor 2 (Spouse, if filing)			
	First Name	Middle Name	Last Name
United States Bankruptcy Court for the: EASTERN DISTRICT OF MICHIGAN			
Case number	19-57325		

☐ Check if this is an amended filing

Official Form 106A/B

Schedule A/B: Property

12/15

In each category, separately list and describe items. List an asset only once. If an asset fits in more than one category, list the asset in the category where you think it fits best. Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write your name and case number (if known). Answer every question.

Part 1: Describe Each Residence, Building, Land, or Other Real Estate You Own or Have an Interest In

1. Do you own or have any legal or equitable interest in any residence, building, land, or similar property?

- ☒ No. Go to Part 2.
☐ Yes. Where is the property?

1.1

Street address, if available, or other description

City State ZIP Code

County

What is the property? Check all that apply

- ☐ Single-family home
☐ Duplex or multi-unit building
☐ Condominium or cooperative
☐ Manufactured or mobile home
☐ Land
☐ Investment property
☐ Timeshare
☐ Other

Who has an interest in the property? Check one

- ☐ Debtor 1 only
☐ Debtor 2 only
☐ Debtor 1 and Debtor 2 only
☐ At least one of the debtors and another

Do not deduct secured claims or exemptions. Put the amount of any secured claims on *Schedule D: Creditors Who Have Claims Secured by Property*.

Current value of the entire property? \$
Current value of the portion you own? \$

Describe the nature of your ownership interest (such as fee simple, tenancy by the entireties, or a life estate), if known.

☐ Check if this is community property (see instructions)

Other information you wish to add about this item, such as local property identification number:

2. Add the dollar value of the portion you own for all of your entries from Part 1, including any entries for pages you have attached for Part 1. Write that number here.....=>

Part 2: Describe Your Vehicles

Do you own, lease, or have legal or equitable interest in any vehicles, whether they are registered or not? Include any vehicles you own that someone else drives. If you lease a vehicle, also report it on *Schedule G: Executory Contracts and Unexpired Leases*.

3. Cars, vans, trucks, tractors, sport utility vehicles, motorcycles

- ☒ No
☐ Yes

4. Watercraft, aircraft, motor homes, ATVs and other recreational vehicles, other vehicles, and accessories*Examples: Boats, trailers, motors, personal watercraft, fishing vessels, snowmobiles, motorcycle accessories*☒ No☐ Yes**5 Add the dollar value of the portion you own for all of your entries from Part 2, including any entries for pages you have attached for Part 2. Write that number here.....=>****\$0.00****Part 3: Describe Your Personal and Household Items****Do you own or have any legal or equitable interest in any of the following items?****Current value of the portion you own?**
Do not deduct secured claims or exemptions.**6. Household goods and furnishings***Examples: Major appliances, furniture, linens, china, kitchenware*☐ No☒ Yes. Describe.....**Couch, sofa, vacuum, table, chairs, lamps, entertainment center, bedroom sets, washer/dryer, stove, refrigerator, microwave, pots/pans, dishes/flatware, household tools.****\$2,000.00****7. Electronics***Examples: Televisions and radios; audio, video, stereo, and digital equipment; computers, printers, scanners; music collections; electronic devices including cell phones, cameras, media players, games*☐ No☒ Yes. Describe.....**TV, computer, phone, media players, DVDs/CDs/Blu-ray discs, speakers, game console, video games.****\$2,000.00****8. Collectibles of value***Examples: Antiques and figurines; paintings, prints, or other artwork; books, pictures, or other art objects; stamp, coin, or baseball card collections; other collections, memorabilia, collectibles*☐ No☒ Yes. Describe.....**Books, Magazines, Pictures.****\$100.00****9. Equipment for sports and hobbies***Examples: Sports, photographic, exercise, and other hobby equipment; bicycles, pool tables, golf clubs, skis; canoes and kayaks; carpentry tools; musical instruments*☐ No☒ Yes. Describe.....**Billiards Table****\$100.00****10. Firearms***Examples: Pistols, rifles, shotguns, ammunition, and related equipment*☒ No☐ Yes. Describe.....**11. Clothes***Examples: Everyday clothes, furs, leather coats, designer wear, shoes, accessories*☐ No☒ Yes. Describe.....

Necessary wearing apparel.\$500.00**12. Jewelry***Examples: Everyday jewelry, costume jewelry, engagement rings, wedding rings, heirloom jewelry, watches, gems, gold, silver*☐ No☒ Yes. Describe.....Costume jewelry, watch, chains, rings.\$100.00**13. Non-farm animals***Examples: Dogs, cats, birds, horses*☒ No☐ Yes. Describe.....**14. Any other personal and household items you did not already list, including any health aids you did not list**☒ No☐ Yes. Give specific information.....**15. Add the dollar value of all of your entries from Part 3, including any entries for pages you have attached for Part 3. Write that number here**\$4,800.00**Part 4: Describe Your Financial Assets****Do you own or have any legal or equitable interest in any of the following?****Current value of the portion you own?**
Do not deduct secured claims or exemptions.**16. Cash***Examples: Money you have in your wallet, in your home, in a safe deposit box, and on hand when you file your petition*☐ No☒ Yes.....**Cash**\$100.00**17. Deposits of money***Examples: Checking, savings, or other financial accounts; certificates of deposit; shares in credit unions, brokerage houses, and other similar institutions. If you have multiple accounts with the same institution, list each.*☐ No☒ Yes.....

Institution name:

17.1. Prepaid Debit Card Paypal account ending in 7451\$1,605.59**18. Bonds, mutual funds, or publicly traded stocks***Examples: Bond funds, investment accounts with brokerage firms, money market accounts*☒ No☐ Yes.....

Institution or issuer name:

19. Non-publicly traded stock and interests in incorporated and unincorporated businesses, including an interest in an LLC, partnership, and joint venture☒ No☐ Yes. Give specific information about them.....

Name of entity:

% of ownership:

%

20. Government and corporate bonds and other negotiable and non-negotiable instruments*Negotiable instruments* include personal checks, cashiers' checks, promissory notes, and money orders.*Non-negotiable instruments* are those you cannot transfer to someone by signing or delivering them.☒ No☐ Yes. Give specific information about them

Issuer name:

21. Retirement or pension accounts*Examples:* Interests in IRA, ERISA, Keogh, 401(k), 403(b), thrift savings accounts, or other pension or profit-sharing plans☐ No☒ Yes. List each account separately.

Type of account:

Institution name:

401(k)**Fidelity****\$2,000.00****22. Security deposits and prepayments**

Your share of all unused deposits you have made so that you may continue service or use from a company

Examples: Agreements with landlords, prepaid rent, public utilities (electric, gas, water), telecommunications companies, or others☐ No☒ Yes.

Institution name or individual:

Rent Security Deposit**Security Deposit with landlord.****\$1,400.00****23. Annuities (A contract for a periodic payment of money to you, either for life or for a number of years)**☒ No☐ Yes..... Issuer name and description.**24. Interests in an education IRA, in an account in a qualified ABLE program, or under a qualified state tuition program.**

26 U.S.C. §§ 530(b)(1), 529A(b), and 529(b)(1).

☒ No☐ Yes..... Institution name and description. Separately file the records of any interests. 11 U.S.C. § 521(c):**25. Trusts, equitable or future interests in property (other than anything listed in line 1), and rights or powers exercisable for your benefit**☒ No☐ Yes. Give specific information about them...**26. Patents, copyrights, trademarks, trade secrets, and other intellectual property***Examples:* Internet domain names, websites, proceeds from royalties and licensing agreements☒ No☐ Yes. Give specific information about them...**27. Licenses, franchises, and other general intangibles***Examples:* Building permits, exclusive licenses, cooperative association holdings, liquor licenses, professional licenses☒ No☐ Yes. Give specific information about them...**Money or property owed to you?****Current value of the
portion you own?**

Do not deduct secured
claims or exemptions.

28. Tax refunds owed to you

☐ No☒ Yes. Give specific information about them, including whether you already filed the returns and the tax years.....Expected Prorated Federal (IRS) Tax
Refund for year 2019.

Federal

\$9,768.00

Expected Prorated State of Michigan Tax
Refund for year 2019.

State

\$1,213.00

29. Family support

Examples: Past due or lump sum alimony, spousal support, child support, maintenance, divorce settlement, property settlement

☒ No☐ Yes. Give specific information.....

30. Other amounts someone owes you

Examples: Unpaid wages, disability insurance payments, disability benefits, sick pay, vacation pay, workers' compensation, Social Security benefits; unpaid loans you made to someone else

☒ No☐ Yes. Give specific information..

31. Interests in insurance policies

Examples: Health, disability, or life insurance; health savings account (HSA); credit, homeowner's, or renter's insurance

☐ No☒ Yes. Name the insurance company of each policy and list its value.

Company name:

Beneficiary:

Surrender or refund
value:Employer - Health, Disability, Dental,
Term Life, Vision Insurance.

Debtor

\$0.00

32. Any interest in property that is due you from someone who has died

If you are the beneficiary of a living trust, expect proceeds from a life insurance policy, or are currently entitled to receive property because someone has died.

☒ No☐ Yes. Give specific information..

33. Claims against third parties, whether or not you have filed a lawsuit or made a demand for payment

Examples: Accidents, employment disputes, insurance claims, or rights to sue

☐ No☒ Yes. Describe each claim.....

Funds garnished in 90 days before filing by creditor

\$3,267.47

34. Other contingent and unliquidated claims of every nature, including counterclaims of the debtor and rights to set off claims

☒ No☐ Yes. Describe each claim.....

Debtor 1 **Frederick Napoleon Warren, Jr.**

Case number (if known) **19-57325**

35. Any financial assets you did not already list

☒ No

☐ Yes. Give specific information..

36. Add the dollar value of all of your entries from Part 4, including any entries for pages you have attached for Part 4. Write that number here.....

\$19,354.06

Part 5: Describe Any Business-Related Property You Own or Have an Interest In. List any real estate in Part 1.

37. Do you own or have any legal or equitable interest in any business-related property?

☒ No. Go to Part 6.

☐ Yes. Go to line 38.

**Current value of the
portion you own?
Do not deduct secured
claims or exemptions.**

38. Accounts receivable or commissions you already earned

☐ No

☐ Yes. Describe.....

39. Office equipment, furnishings, and supplies

Examples: Business-related computers, software, modems, printers, copiers, fax machines, rugs, telephones, desks, chairs, electronic devices

☐ No

☐ Yes. Describe.....

40. Machinery, fixtures, equipment, supplies you use in business, and tools of your trade

☐ No

☐ Yes. Describe.....

41. Inventory

☐ No

☐ Yes. Describe.....

42. Interests in partnerships or joint ventures

☐ No

☐ Yes. Give specific information about them.....

Name of entity:

% of ownership:

%

43. Customer lists, mailing lists, or other compilations

☐ No.

☐ Do your lists include personally identifiable information (as defined in 11 U.S.C. § 101(41A))?

☐ No

Debtor 1 Frederick Napoleon Warren, Jr.

Case number (if known) 19-57325

☐ Yes. Describe.....

44. Any business-related property you did not already list

☐ No

☐ Yes. Give specific information.....

45. Add the dollar value of all of your entries from Part 5, including any entries for pages you have attached for Part 5. Write that number here.....

Part 6: Describe Any Farm- and Commercial Fishing-Related Property You Own or Have an Interest In.
If you own or have an interest in farmland, list it in Part 1.

46. Do you own or have any legal or equitable interest in any farm- or commercial fishing-related property?

☒ No. Go to Part 7.

☐ Yes. Go to line 47.

**Current value of the
portion you own?**
Do not deduct secured
claims or exemptions.

47. Farm animals

Examples: Livestock, poultry, farm-raised fish

☐ No

☐ Yes.....

48. Crops—either growing or harvested

☐ No

☐ Yes. Give specific information.....

49. Farm and fishing equipment, implements, machinery, fixtures, and tools of trade

☐ No

☐ Yes.....

50. Farm and fishing supplies, chemicals, and feed

☐ No

☐ Yes.....

51. Any farm- and commercial fishing-related property you did not already list

☐ No

☐ Yes. Give specific information.....

52. Add the dollar value of all of your entries from Part 6, including any entries for pages you have attached for Part 6. Write that number here

--

Part 7: Describe All Property You Own or Have an Interest in That You Did Not List Above

53. Do you have other property of any kind you did not already list?

Examples: Season tickets, country club membership

☐ No

☐ Yes. Give specific information.....

54. Add the dollar value of all of your entries from Part 7. Write that number here

\$0.00

Part 8: List the Totals of Each Part of this Form

55. **Part 1: Total real estate, line 2** **\$0.00**

56. Part 2: Total vehicles, line 5	\$0.00
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57. Part 3: Total personal and household items, line 15	\$4,800.00
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58. Part 4: Total financial assets, line 36	\$19,354.06
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59. Part 5: Total business-related property, line 45	\$0.00
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60. Part 6: Total farm- and fishing-related property, line 52	\$0.00
--	---------------

61. Part 7: Total other property not listed, line 54	+	\$0.00
--	---	--------

62. Total personal property. Add lines 56 through 61...	\$24,154.06	Copy personal property total	\$24,154.06
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63. Total of all property on Schedule A/B. Add line 55 + line 62	\$24,154.06
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Fill in this information to identify your case:

Debtor 1	Frederick Napoleon Warren, Jr.		
	First Name	Middle Name	Last Name
Debtor 2 (Spouse if, filing)			
	First Name	Middle Name	Last Name
United States Bankruptcy Court for the:	EASTERN DISTRICT OF MICHIGAN		
Case number (if known)	19-57325		

☐ Check if this is an amended filing

Official Form 106C

Schedule C: The Property You Claim as Exempt

4/19

Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. Using the property you listed on *Schedule A/B: Property* (Official Form 106A/B) as your source, list the property that you claim as exempt. If more space is needed, fill out and attach to this page as many copies of *Part 2: Additional Page* as necessary. On the top of any additional pages, write your name and case number (if known).

For each item of property you claim as exempt, you must specify the amount of the exemption you claim. One way of doing so is to state a specific dollar amount as exempt. Alternatively, you may claim the full fair market value of the property being exempted up to the amount of any applicable statutory limit. Some exemptions—such as those for health aids, rights to receive certain benefits, and tax-exempt retirement funds—may be unlimited in dollar amount. However, if you claim an exemption of 100% of fair market value under a law that limits the exemption to a particular dollar amount and the value of the property is determined to exceed that amount, your exemption would be limited to the applicable statutory amount.

Part 1: Identify the Property You Claim as Exempt

1. Which set of exemptions are you claiming? Check one only, even if your spouse is filing with you.

☐ You are claiming state and federal nonbankruptcy exemptions. 11 U.S.C. § 522(b)(3)

☒ You are claiming federal exemptions. 11 U.S.C. § 522(b)(2)

2. For any property you list on *Schedule A/B* that you claim as exempt, fill in the information below.

Brief description of the property and line on <i>Schedule A/B</i> that lists this property	Current value of the portion you own Copy the value from <i>Schedule A/B</i>	Amount of the exemption you claim Check only one box for each exemption.	Specific laws that allow exemption
Couch, sofa, vacuum, table, chairs, lamps, entertainment center, bedroom sets, washer/dryer, stove, refrigerator, microwave, pots/pans, dishes/flatware, household tools. Line from <i>Schedule A/B</i> : 6.1	\$2,000.00	<input checked="" type="checkbox"/> \$2,000.00 <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	11 U.S.C. § 522(d)(3)
TV, computer, phone, media players, DVDs/CDs/Blu-ray discs, speakers, game console, video games. Line from <i>Schedule A/B</i> : 7.1	\$2,000.00	<input checked="" type="checkbox"/> \$2,000.00 <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	11 U.S.C. § 522(d)(3)
Books, Magazines, Pictures. Line from <i>Schedule A/B</i> : 8.1	\$100.00	<input checked="" type="checkbox"/> \$100.00 <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	11 U.S.C. § 522(d)(3)
Billiards Table Line from <i>Schedule A/B</i> : 9.1	\$100.00	<input checked="" type="checkbox"/> \$100.00 <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	11 U.S.C. § 522(d)(5)
Necessary wearing apparel. Line from <i>Schedule A/B</i> : 11.1	\$500.00	<input checked="" type="checkbox"/> \$500.00 <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	11 U.S.C. § 522(d)(3)

Brief description of the property and line on Schedule A/B that lists this property	Current value of the portion you own <small>Copy the value from Schedule A/B</small>	Amount of the exemption you claim <small>Check only one box for each exemption.</small>	Specific laws that allow exemption
Costume jewelry, watch, chains, rings. Line from Schedule A/B: 12.1	<u>\$100.00</u>	<input checked="" type="checkbox"/> <u>\$100.00</u> <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	11 U.S.C. § 522(d)(4)
Cash Line from Schedule A/B: 16.1	<u>\$100.00</u>	<input checked="" type="checkbox"/> <u>\$100.00</u> <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	11 U.S.C. § 522(d)(5)
Prepaid Debit Card: Paypal account ending in 7451 Line from Schedule A/B: 17.1	<u>\$1,605.59</u>	<input checked="" type="checkbox"/> <u>\$1,319.00</u> <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	11 U.S.C. § 522(d)(5)
401(k): Fidelity Line from Schedule A/B: 21.1	<u>\$2,000.00</u>	<input checked="" type="checkbox"/> <u>\$2,000.00</u> <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	11 U.S.C. § 522(d)(12)
Rent Security Deposit: Security Deposit with landlord. Line from Schedule A/B: 22.1	<u>\$1,400.00</u>	<input checked="" type="checkbox"/> <u>\$1,400.00</u> <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	11 U.S.C. § 522(d)(5)
Federal: Expected Prorated Federal (IRS) Tax Refund for year 2019. Line from Schedule A/B: 28.1	<u>\$9,768.00</u>	<input checked="" type="checkbox"/> <u>\$9,768.00</u> <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	11 U.S.C. § 522(d)(5)
State: Expected Prorated State of Michigan Tax Refund for year 2019. Line from Schedule A/B: 28.2	<u>\$1,213.00</u>	<input checked="" type="checkbox"/> <u>\$1,213.00</u> <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	11 U.S.C. § 522(d)(5)
Employer - Health, Disability, Dental, Term Life, Vision Insurance. Beneficiary: Debtor Line from Schedule A/B: 31.1	<u>\$0.00</u>	<input checked="" type="checkbox"/> <u>\$0.00</u> <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	11 U.S.C. § 522(d)(7)

3. Are you claiming a homestead exemption of more than \$170,350?

(Subject to adjustment on 4/01/22 and every 3 years after that for cases filed on or after the date of adjustment.)

- ☒ No
- ☐ Yes. Did you acquire the property covered by the exemption within 1,215 days before you filed this case?
- ☐ No
- ☐ Yes